

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services amends Chapter 75, “Conditions of Eligibility,” Iowa Administrative Code.

These amendments adjust the premiums assessed for the coverage group “Medicaid for employed people with disabilities” (MEPD). Iowa Code section 249A.3, subsection 2, paragraph “a,” specifies that a person in this group whose gross income exceeds 150 percent of the federal poverty level shall pay a premium based on a sliding fee schedule. The maximum premium must be commensurate with the cost of group health insurance for state employees. The Iowa State Plan for Medical Assistance, approved by the federal Centers for Medicare and Medicaid Services as a condition of federal funding, provides that the maximum premium shall be equal to 7.5 percent of the person’s gross income.

The cost of state employee health insurance changes each year in January. The cost of state employee health insurance for 2009 has gone down. Therefore, premiums for MEPD members are being reduced. These amendments reflect smaller changes in the amount of the premium at lower income levels, where most premium payers fall, to ensure that low-income premium payers do not face large premium increases due to small increases in income. The changes to the poverty level increments are required to keep the top premium at 7.5 percent of income.

The U.S. Department of Health and Human Services announces new poverty level guidelines annually, usually in late January. The date on which the MEPD premiums will be revised is being changed because there is insufficient time to amend the premium amounts by April 1 without emergency rules.

These amendments do not provide for waivers in specific situations because all members should be subject to the same income-based premiums. A member who feels that exceptional circumstances justify a different premium may request a waiver under the Department’s general rule on exceptions at 441—1.8(17A,217).

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin on March 11, 2009, as **ARC 7629B**. The Department received no comments on the Notice of Intended Action. These amendments are identical to those published under Notice of Intended Action.

The Council on Human Services adopted these amendments on May 13, 2009.

These amendments are intended to implement Iowa Code section 249A.3(2)“a.”

These amendments shall become effective on August 1, 2009.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [75.1(39)] is being omitted. These amendments are identical to those published under Notice as **ARC 7629B**, IAB 3/11/09.

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